

REMARKS

The Office Action indicates that the present application apparently fails to contain sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2) and allegedly fails to comply with the requirements of 37 CFR 1.1821 through 1.825. More specifically, the Action requires that the amino acid sequence of EV131, as recited in WO 97/44451 and referred to in the instant Specification, should be recited in the instant Specification because there are multiple names for this protein.

Responsive thereto, Applicant submits a Substitute Sequence Listing that includes the amino acid sequence EV131 and is designated therein as SEQ ID NO : 6. No issue of new matter is hereby introduced.

Applicants request favorable consideration and entry of the Amendment and Substitute Sequence Listing submitted herewith and further favorable processing of the present application.

No additional fees are believed to be necessitated by the foregoing amendment. However, should this be erroneous, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or credit any overages.

Respectfully submitted,

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